SOUTH FLORIDA WATER MANAGEMENT DISTRICT

PERMIT TRANSFER PERMIT NUMBER:

36-04463-6

ISSUED DATE:

11-03-2004







SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • TL WATS 1-800-432-2045 • TDD (561) 697-2574 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

District Permits 36-00764-S, 36-04463-W Applications 040702-6/7

November 3, 2004

Robert D. Hensley, President Bonita Grande Aggregates, LLC 15065 McGregor Boulevard, Suite 108 Ft. Myers, FL 33908

Dear Mr. Hensley:

Subject:

Notice of Permit Transfer

Bonita Grand Mine (f/k/a Bonita Farms I and II). Lee County

Sections 17,20, Township 47 South, Range 26 East

In response to your requests which we received on July 2, 2004 for transfer of the above, Permits 36-00764-S and 36-04463-W have been officially transferred from Sam Hubschman, and Bonita Grande Sand Company (Samuel Hubschman and Connie Hubschman) to Bonita Grande Aggregates, LLC. As a condition of transfer you have agreed that all terms and conditions of the permits and subsequent modifications, if any, are understood and accepted, and any proposed modification shall be applied for and authorized by this District prior to such modification. The Permit Transfer documents including conditions, permit histories, and permit summaries are enclosed.

In order for Permit 36-00674-S to be in compliance with its conditions, notification of construction completion and submittal of monitoring reports is required. If you have questions, please contact Steve Nagle, Environmental Resource Compliance Division, at (239) 338-2929 Ext. 7721.

In order for Permit 36-04463-W to be in compliance with its conditions, submittal of pumpage data is required. If you have questions, please contact Lori Burke, Water Use Compliance Division, at (561) 686-8800, Ext. 6934.

Sincerely,

Anne Roth

Director, Regulatory Information Management Division Environmental Resource Regulation Department

AR/ml Enclosures

CERTIFIED MAIL # 7003 2260 0001 9111 1615 RETURN RECEIPT REQUESTED

GOVERNING BOARD

EXECUTIVE OFFICE

Nicolás J. Gutiérrez, Jr., Esq., Chair Pamela Brooks-Thomas, Vuc-Chair Írela M. Bagué

Michael Collins Hugh M. English Lennart E. Lindahl, P.E. Kevin McCarty Harkley R. Thornton Trudi K. Williams, P.E.

Henry Dean, Executive Director

c: Lee County Engineer
Sam and Connie Hubschman
Julie Allison, Morris-Depew Associates, Inc.







SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT TRANSFER FOR

WATER USE INDIVIDUAL PERMIT NO. 36-04463-W

DATE ISSUED: NOV 0 3 2004

EXPIRATION DATE: May 15, 2013

PERMITTEE: BONITA GRANDE AGGREGATES LLC

(BONITA GRANDE MINE) 15065 MCGREGOR BLVD,#108 FT MYERS, FL 33908

ORIGINAL PERMIT ISSUED: MAY 15, 2003

ORIGINAL PROJECT AUTHORIZATION: USE OF GROUNDWATER FROM THE WATER TABLE AQUIFER AND SURFACE WATER FROM ON-SITE

BORROW PIT(S) FOR INDUSTRIAL AND PUBLIC WATER SUPPLY WITH ANNUAL ALLOCATION OF 3650,18

MILLION GALLONS

CURRENT AUTHORIZATION: TRANSFER USE OF GROUNDWATER FROM THE WATER TABLE AQUIFER AND SURFACE WATER FROM ON-SITE

BORROW PIT(S) FOR INDUSTRIAL AND PUBLIC WATER SUPPLY WITH ANNUAL ALLOCATION OF 3650.18 MILLION

GALLONS

PROJECT LOCATION: LEE COUNTY

SECTION: 17,20

RGE: 26E TWP: 47S

In response to Transfer Application No.040702-7, dated May 6, 2004 this Permit Transfer is issued pursuant to the applicable provisions of Subsection 373 Part II, Florida Statues (F.S.) and Rules 40E-1.6107 and 40E-2.351, Florida Administrative Code.

All Permit design specifications, special and general/limiting Permit conditions, and other terms and requirements contained in the Permit shall remain in full force and effect unless further modified by the South Florida Water Management District ("District") and shall be binding upon the Permittee for the duration of the Permit, as specified in Rule 40E-2.4321, Florida Administrative

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or Declaration of Emergency due to Water Shortage in accordance with the provision of Chapter 373, Florida Statutes (F.S.), and applicable rules and regulations of South Florida Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of this permit or for the violation of any provisions of the Water Resources Act and Regulation thereunder.

This Permit does not convey to the permittee are property rights nor any privileges other than those specified herein, nor relieve the permittee f m complying with any law, regulation or requirement affecting the rights of other bodies or agencies.

This Permit may be transferred pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-1.6107(1) and (2) and 40E-20.351 Florida Administrative Code (F.A.C.).

In the event the property is sold or otherwise conveyed, the Permittee shall remain liable for compliance with this Permit until permit transfer to the new owner is approved by the Distict. Rule 40E-1.6105, Florida Administrative Code requires written notification to the District within 30 days of the transfer of any interest in the permitted real property, giving the name and address of the new owner in interest with a copy of the instrument effecting the transfer.

LIMITING CONDITIONS ARE AS FOLLOWS:

SEE PAGES 2 - 3 OF 3

(21 LIMITING CONDITIONS)

Director, Regulatory Information Management

PAGE 1 OF 3



PERMIT NO: 36-04463-W PAGE: 2 OF 3

LIMITING CONDITIONS

- THIS PERMIT SHALL EXPIRE ON MAY 15, 2013.
- 2. APPLICATION FOR A PERMIT MODIFICATION MAY BE MADE AT ANY TIME.
- 3. WATER USE CLASSIFICATION:

INDUSTRIAL WATER SUPPLY PUBLIC WATER SUPPLY

SOURCE CLASSIFICATION:

GROUND WATER FROM: WATER TABLE AQUIFER

SURFACE WATER FROM: ON-SITE BORROW PIT(S)

5, ANNUAL ALLOCATION SHALL NOT EXCEED 3650 MG.

MAXIMUM MONTHLY ALLOCATION SHALL NOT EXCEED 31.5 MG.

- IN THE EVENT OF A DECLARED WATER SHORTAGE, WATER WITHDRAWAL REDUCTIONS WILL BE ORDERED BY THE DISTRICT IN ACCORDANCE WITH THE WATER SHORTAGE PLAN, CHAPTER 40E-21, F.A.C. THE PERMITTEE IS ADVISED THAT DURING A WATER SHORTAGE, PUMPAGE REPORTS SHALL BE SUBMITTED AS REQUIRED BY CHAPTER 40E-21, F.A.C.
- WITHDRAWAL FACILITIES: 7.

GROUND WATER - EXISTING:

3 - 4" X 60' X 20 GPM WELLS WITH UNKNOWN CASED DEPTH

SURFACE WATER - EXISTING:

- 3 16" X 150 HP X 7000 GPM TURBINE PUMPS
- PERMITTEE SHALL MITIGATE HARM TO EXISTING LEGAL USES CAUSED BY THE PERMITTEE'S WITHDRAWALS AS DETERMINED THROUGH REFERENCE TO THE CONDITIONS FOR PERMIT ISSUANCE. WHEN HARM OCCURS, OR IS IMMINENT, THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY WITHDRAWAL RATES OR MITIGATE THE HARM. HARM, AS DETERMINED THROUGH REFERENCE TO THE CONDITIONS

A) REDUCTION IN SURFACE OR GROUND WATER LEVELS THAT PREVENTS AN ADJACENT WITHDRAWAI, FACILITY FROM PRODUCING WATER,

B) INDUCED MOVEMENT OF SALINE WATER OR POLLUTANTS INTO A WITHDRAWAL FACILITY TO A DEGREE THAT CAUSES THE WATER TO BE

PERMITTEE SHALL MITIGATE HARM TO EXISTING OFF-SITE LAND USES CAUSED BY THE PERMITTEE'S WITHDRAWALS, AS DETERMINED g THROUGH REFERENCE TO THE CONDITIONS FOR PERMIT ISSUANCE. WHEN HARM OCCURS, OR IS IMMINENT, THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY WITHDRAWAL RATES OR MITIGATE THE HARM. HARM AS DETERMINED THROUGH REFERENCE TO THE

A) SIGNIFICANT REDUCTION IN WATER LEVELS IN AN ADJACENT SURFACE WATER BODY, INCLUDING IMPOUNDMENTS, TO THE EXTENT THAT THE DESIGNED FUNCTION OF THE AUTHORIZED STRUCTURES AND FACILITIES IS IMPAIRED,

B) LAND COLLAPSE OR SUBSIDENCE CAUSED BY REDUCTION IN WATER LEVELS, OR

C) DAMAGE TO CROPS AND OTHER TYPES OF VEGETATION CAUSED BY WITHDRAWALS THAT IMPAIR THE OPERATION OF A SEEP





PERMIT NO: 36-04463-W PAGE: 3 OF 3

- PERMITTEE SHALL MITIGATE HARM TO THE NATURAL RESOURCES CAUSED BY THE PERMITTEE'S WITHDRAWALS, AS DETERMINED THROUGH REFERENCE TO THE CONDITIONS FOR PERMIT ISSUANCE. WHEN HARM OCCURS, OR IS IMMINENT, THE DISTRICT WILL REQUIRE 10. THE PERMITTEE TO MODIFY WITHDRAWAL RATES OR MITIGATE THE HARM. HARM, AS DETERMINED THROUGH REFERENCE TO THE CONDITIONS FOR PERMIT ISSUANCE INCLUDES:
 - A) REDUCTION IN GROUND OR SURFACE WATER LEVELS THAT RESULTS IN HARMFUL LATERAL MOVEMENT OF THE FRESH WATER/SALT WATER INTERFACE,
 - B) REDUCTION IN WATER LEVELS THAT HARM THE HYDROPERIOD OF WETLANDS,
 - C) SIGNIFICANT REDUCTION IN WATER LEVELS OR HYDROPERIOD IN A NATURALLY OCCURRING WATER BODY SUCH AS A LAKE OR POND,
 - D) HARMFUL MOVEMENT OF CONTAMINANTS IN VIOLATION OF STATE WATER QUALITY STANDARDS, OR
 - E) SIGNIFICANT DAMAGE TO THE NATURAL SYSTEM INCLUDING DAMAGE TO HABITAT FOR RARE OR ENDANGERED SPECIES.
- IF ANY CONDITION OF THE PERMIT IS VIOLATED, THE PERMIT SHALL BE SUBJECT TO REVIEW AND POSSIBLE MODERATION, ENFORCEMENT 11. ACTION, OR REVOCATION.
- AUTHORIZED REPRESENTATIVES OF THE DISTRICT SHALL BE PERMITTED TO ENTER, INSPECT, AND OBSERVE THE PERMITTED SYSTEM TO 12. DETERMINE COMPLIANCE WITH SPECIAL CONDITIONS.
- THE PERMITTEE IS ADVISED THAT THIS PERMIT DOES NOT RELIEVE ANY PERSON FROM THE REQUIREMENT TO OBTAIN ALL NECESSARY 13. FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS.
- THE PERMIT DOES NOT CONVEY ANY PROPERTY RIGHT TO THE PERMITTEE, NOR ANY RIGHTS AND PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-2, FLORIDA ADMINISTRATIVE CODE. 14.
- PERMITTEE SHALL SUBMIT ALL DATA AS REQUIRED BY THE IMPLEMENTATION SCHEDULE FOR EACH OF THE LIMITING CONDITIONS TO: S.F.W.M.D., SUPERVISING HYDROGEOLOGIST - POST-PERMIT COMPLIANCE, WATER USE REGULATION DEPT. (4320), P.O. BOX 24680, WEST 15. PALM BEACH, FL 33416-4680.
- WITHIN SIX MONTHS OF PERMIT ISSUANCE, THE PERMITTEE SHALL PROVIDE THE RESULTS OF THE CALIBRATION TESTING OF THE IDENTIFIED WATER ACCOUNTING METHOD(S) AND EQUIP ALL EXISTING AND PROPOSED WITHDRAWAL FACILITIES WITH APPROVED WATER 16. USE ACCOUNTING METHOD(S) PURSUANT TO SECTION 4.1 OF THE BASIS OF REVIEW FOR WATER USE PERMIT APPLICATIONS.
- EVERY FIVE YEARS FROM THE DATE OF PERMIT ISSUANCE, THE PERMITTEE SHALL SUBMIT RE-CALIBRATION DATA ON EACH WATER PUMPING ACCOUNTING FACILITY, FOR THOSE PERMITTEES WHOSE ACCOUNTING METHOD(S) REQUIRE RE-CALIBRATION. 17.
- MONTHLY WITHDRAWALS FOR EACH WITHDRAWAL FACILITY SHALL BE SUBMITTED TO THE DISTRICT QUARTERLY. THE WATER ACCOUNTING METHOD AND MEANS OF CALIBRATION SHALL BE STATED ON EACH REPORT.
- THIS PERMIT SUPERSEDES AND/OR CANCELS THE FOLLOWING WATER USE PERMITS: 19. PERMIT NO. 36-00315-W
- THIS IS AN EXISTING PROJECT. A SURFACE WATER MANAGEMENT PERMIT WILL BE REQUIRED PRIOR TO ANY CHANGE IN LAND USE OR 20. MODIFICATION OF THE DRAINAGE SYSTEM.
- THE PERMITTEE SHALL CONTINUE TO SUBMIT MONITORING DATA IN ACCORDANCE WITH THE APPROVED WATER QUALITY MONITORING 21. PROGRAM FOR THIS PROJECT.

Permit No: 36-04463-W
Project Description: BONITA GRANDE MINE

Project Community	BONITA FARMS 1 AND 2	REGATES LLC BONITA GRANDE MINE
Issue Date: App # 50 Permit Type Purpose	SAM AND CONNIE HUBSCHMAN	BONITA GRANDE AGGREGATES LLC
Purpose	INDUSTRIAL	PERMIT TRANSFER
Permit Type	WI NEW INDIVIDUAL INDUSTRIAL	WIJTRANS INDIVIDUAL PERMIT TRANSFER
App #	02022E.B	7-2020
Issue Date	4E MANY ORDS - 020025E	2007- Kini-Ci

(3)



Water Use Permit Summary

This document is intended to summarize District permitting activity associated with the project. It is not intended to constitute a comprehensive compilation of all permit authorizations and conditions, and should not be relied upon as such. The permittee can request complete copies of all applicable permit documents.

Permit Number:

36-04463-W

(040702-7)

Project Name:

BONITA GRANDE MINE

Location:

LEE COUNTY,

S 17,20/T47S/R26E

Permittee's Name and Address:

BONITA GRANDE AGGREGATES LLC

15065 MCGREGOR BLVD

#108

FT MYERS, FL 33908

Current Authorization:

TRANSFER USE OF GROUNDWATER FROM THE WATER TABLE AQUIFER AND SURFACE WATER FROM ON-SITE BORROW PIT(S) FOR INDUSTRIAL AND PUBLIC WATER SUPPLY WITH ANNUAL ALLOCATION OF 3650.18 MILLION GALLONS

Expiration Date:

May 15, 2013

Water Use Classification:

Industrial

Public Water Supply

Sources:

Ground Water from: Water Table Aquifer Surface Water from:

On-site Borrow Pit(s)

Permitted Allocation:

Annual Allocation:

3,650.00 Million Gallons (MG)

Maximum Monthly Allocation:

31.50 Million Gallons (MG)

Existing Withdrawal Facilities - Ground Water

GW Source: Water Table Aquifer 3 - 4" X 60' X 20 GPM Wells With Unknown Cased Depth

Existing Withdrawal Facilities - Surface Water

SW Source: On-site Borrow Pit(s) 3 - 16" X 150 HP X 7000 GPM turbine Pumps

Rated Capacity

Source 30.24 919.3 On-Site Borrow Pit(S) Ε 0.09 Water Table Aquifer 30.33 921.9 11,069 21,060 Totals:

Project Description

A Surface Water Management Permit No. 36-00767-S for this project, issued January 21, 2000, authorized a surface water management system for 985 acres of fill dirt excavation, existing farming activities and preserve areas. The DEP issued permit No. 0710214-001-AC on November 18, 2002 for a dry and wet rock mining and crushing facility processing approximately 4,493 million tons of sand and aggregate per year. Due to the expanding nature of the industrial operation, it was necessary for the permittee to apply to the DEP for an Environmental Resource Permit. On April 10, 2003, the DEP issued a notice of intent to issue an Environmental Resource Permit No. 0166246-001 which supercedes permit No. 36-00767-S and allows for expansion of the mining facility and deepening the allowable mining depth from -42.5 feet NGVD to -75.5 feet NGVD.

In 1982, Permit No. 36-00315-W was issued to Bonita Farm which farmed small vegetables. The farm added a sand mining land use in 2001 and Permit No. 36-01023-W was issued to Bonita Grand Sand Company which utilized dewatering to mine the material. The current Water Use Application, No. 020225-8, modifies and supercedes both Permit No. 36-01023-W and Permit No. 36-01023-W and proposes a 1278 acre aggregate processing plant facility with a wash system withdrawing and discharging into the borrow lake via three existing pumps. Water is utilized from the Water Table aquifer for washing aggregate and then routed to a dual cell settling pond before being pumped back into the lake. The ponds are sized based on a 4 hour detention period. The water use rate is 10 million gallons per day (Exhibit 4 and 9). Assuming a maximum evaporative loss of 0.25 inches per day over the area of the settling ponds, approximately 20,000 gallons per day is lost. The aggregate itself absorbs approximately 6,000 gallons per day. Doubling these figures to account for evaporative losses in the processing components and with some minimal percolation in the plant area, the total consumption is approximately 50,000 gallons per day. The other 95% or 9,950,000 gallons are returned to the lake. There is no dewatering associated with this application and all farming activities have ceased.

in addition to the mining facility, there are three existing wells which supply water to approximately 10 people per day.

Staff recommends a maximum day of 10 million gallons for rock washing with a annual allocation of 3,650 million gallons. In addition, for 10 people with a per capita use of 50 gallons per day, Staff recommends a maximum day of 50 gallons and an annual use of 182,500 gallons.

Impact Assessments

Water Resource Availability

On-Site Borrow Pit(S)

Staff analyzed the impact due to the project's proposed withdrawals using the Theis Non-Equilibrium drawdown equation. Two scenarios were run. The 1st Scenario used the maximum daily allocation of 10 million gallons per day and the 2nd Scenario used the actual estimated consumption of water of 50,000 gallons per day as discussed above. Even using the larger amount, drawdown was not greater than 1.10 feet at the east and west property boundary (Exhibit 6). The dry season water level is estimated to be approximately 8.5 feet NGVD, as shown in USGS monitor well L-2195, located approximately 2 miles south of the project. The bottom of the Water Table aquifer in the vicinity is approximately -61.5 feet NGVD which provides approximately 70 feet of available drawdown within the Water Table Aquifer.

The potential for harm to occur to the water resource availability of the aquifer as a result of the withdrawal of the recommended allocation is considered to be minimal.

Existing Legal Users On-Site Borrow Pit(S)

The nearest existing legal user is Stoney's Enterprises (Permit No. 36-01212-W), located directly to the west, and which irrigates 320 acres of citrus via 5 primary and 3 back-up Water Table wells. Based on the previously discussed modeling for the 1st Scenerio, additional drawdown would be less than 1 foot at the location on W-3 and W-4 for Stoney's enterprises (Exhibit 6).

The potential for harm to occur to existing legal users as a result of the withdrawal of the recommended allocation is considered to be minimal.

Legal Domestic Users On-Site Borrow Pit(S)

The location of the nearest domestic user of the Water Table Aquifer is not known. For purposes of analysis, assume that the nearest domestic well is located at the property boundary. The land elevation is 15 feet NGVD and the dry season water level is 8.5 feet NGVD, or 6.5 feet below the land surface. The additional drawdown due to the project's propesed withdrawals would and an additional 1 foot, making the water level approximately 7.5 feet below land surface and well within the lifting capacity of a centrifugal pump.

The potential for harm to occur to legal domestic users as a result of the withdrawal of the recommended allocation is considered to be minimal.

Saline Water Intrusion

On-Site Borrow Pit(S)

The project is located more than 6 miles from a surface source of saline water. SALT monitor wells for Bonita Springs Utilities Public Water Supply (Permit No. 36-00008-W) for wells MW-4 and MW-8 less than .5 mile east and south of the project, show chloride values of 57 mg/l and 92 mg/l, respectively. In addition, the dry season water level is 8.5 feet and there is greater than a one foot mound of fresh water between the project's facilities and the saline water.

The potential for saline water intrusion or upconing to occur as a result of the withdrawal of the recommended allocation is considered to be minimal.

Wetlands

On-Site Borrow Pit(S)

There are on-site and off-site wetland areas located within the vicinity of the project site. These wetland areas were identified and discussed in the staff report for the Surface Water Management Permit 36-00764-S, Ap. No. 990122-13, issued September 18, 1998. The project relocated approximately 60.76 acres of mitigation towards the eastern boundary in a separate preserve as shown in Exhibit 10. Cross section B shows the existing berm as a structural buffer to the eastern preserve which is contiguous with public property being managed as part of the Corkscrew Regional Ecosystem Water Shed (CREW) Flint Pen Strand lands. Based on the flow chart, water balance and actual projected consumption and as shown in Scenerio No. 2 of the modeling previously discussed, the drawdwown under the wetlands nearest the facilities (Exhibit 10, areas 18-22), is less than 0.02 feet. The lakes act as the stormwater runoff storage area and provide the required water quality treatment and attenuation for the mining site. A control structure discharges runoff from the lakes to the east into the Kehl Canal via an onsite preserve (Exhibit 10). Discharges from the site are limited to 40 cfs and are based on predevelopment discharge rates. Annual and quarterly monitoring reports, as per Permit No.36-00764-S, were required to be submitted to the District for 5 years. The fourth monitoring report is due to be submitted October 31, 2003 and the fifth is due October 31, 2004. Maintenance for the wetland preserve areas, to remove exotic vegetation is required to be conducted in perpetuity. DEP Permit No. 0166246-001, requires that 4 monitoring stations be established to provide wetland hydrological monitoring.

The potential for harm to occur to wetlands as a result of the withdrawal of the recommended allocation is considered to be minimal.

Source Of Pollution

On-Site Borrow Pit(S)

There are no known sources of pollution in the vinicity of the project.

The potential for movement of contaminants, if present, from known pollution sources as a result of the withdrawal of the recommended allocation is considered to be minimal.

Additional Information

Conditions of Issuance

Additional Information

Pursuant to Limiting Condition No. 16, within six months of permit issuance, the Permittee shall provide the results of the calibration testing of the identified water accounting method(s) and equip all existing and proposed withdrawal facilities with approved water use accounting method(s). Pursuant to Limiting Condition No. 17, every five years from the date of Permit issuance, the Permittee shall submit recalibration data on each water pumping accounting facility. Pursuant to Limiting Condition No. 18, monthly withdrawals for each withdrawal facility shall be submitted to the District quarterly.



South Florida Water Management District

Request for Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit Transfer

ORIGINAL SUBMITTAL

Form #0483 Rev. 08/95

JUL 0 2 2004

RECEIVED

South Florida Water Management District P.O. Box 24680 West Palm Beach, Florida 33416-4680

WPB

JUL 0 2 2004

Date 5-6-64 PFS REGINATION 040702-7

Please Check Approp	riate Box(es)
---------------------	---------------

Environmental Resource Surface Water Management

 Water Use 020225-8

Request for transfer of District Permit(s) No(s): FROM:

Under Application No(s): Name: BONTO GRANDE SOND COMPONY

Address: 25501 BONITA GIVADE DRIVE Cty: BUDIO SPRUGS

State: FL

Zip: 3+135

Project Name: BON ITA FARMS 1+11

Permitted Acreage: 1286 AC

TO:

Name: Bonita Grande Aggregates, LLC.
Address: 15065 McGregor Boulevard, Swite 108

City: Fort Myers

State: Florida Zip: 33908

Project Name: Bonita Grandle Mine Acreage Being Transferred: 1280 AC

The reason(s) for this permit transfer is (are)

Pursuant to Rule 40E-1.6107 (see reverse side), Rule 40E-2.351 (Water Use), and Rule 40E-4.351 (Environmental Resource), Florida Administrative Code, the undersigned agrees to be bound by all terms and conditions of the permit, including any subsequent modifications thereto. Authorization for any proposed modification to the project shall be applied for and obtained prior to conducting such modification.

Deviation from the permitted project acreage (such as the purchase of less acreage than permitted) or from any activities authorized by a District Permit shall require a Permit Modification prior to consideration of a Transfer Permit.

KOBERT D. HENSLEY

Applicant Name (Typed or Printed)

PRESIDENT

Signature

239-437-5007 Telephone Number

Enclosure

Recorded copy of documents effectuating transfer of ownership (including sketch and legal description)



Florida Department of State, Division of Corporations

Corresponding Public Inquiry

Florida Limited Liability

ORIGINAL SUBMITTAL

BONITA GRANDE AGGREGATES LLC

JUL 0 2 2004

WPB

PRINCIPAL ADDRESS 15065 MCGREGOR BOULEVARD, SUITE 108 FORT MYERS FL 33908

040702-6

MAILING ADDRESS 15065 MCGREGOR BOULEVARD, SUITE 108 FORT MYERS FL 33908

Document Number L04000026189 FEI Number NONE Date Filed 04/06/2004

State FL Status ACTIVE Effective Date NONE

Total Contribution

Registered Agent

Name & Address

HENSLEY, KOBERT D 15065 MCGREGOR BOULEVARD, SUITE 108 FORT MYERS FL 33908

Manager/Member Detail

Title
_

Annual Reports

Report Year Filed Date

http://www.sunbiz.org/scripts/cordet.exe?a1=DETFIL&n1=L0400002o189&n2=NAMFWD&n3=0000&n...

6/4/2004

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Corporations Help

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This Document Propared by: DOUGLAB A. WOOD, ESQUIRE SIESKY, PILON & WOOD 1000 Tamiami Trail North Suite 201 Naples, FL 34102



IMSTR # 62.6504 OR EK 04284 Pgs 0001 - 2; (2pjs) RECORDED 05/06/2004 02:28:42 PM CHARLIE GREEN, CLERK OF COURT LEE COUNTY, FLORIDA RECORDING FEE 10.50 DEED DGC 471,201.50 DEPUTY CLERX J Hiller

Parcel ID Number:

Warranty Deed

This Indenture, Made this 5 day of May 2004 AD. Between SAMUEL HUBSCHMAN, Individually and as Trustee and CONNIE HUBSCHMAN, Individually and as Trustee

of the County of State of , grantors, and Bonita Grande Aggregates, LLC, a Florida limited liability company

whose address is: 15065 McGregor Boulsvard, Suita 108, Fort Myers, FL 33908

of the County of Lea

Signe of Plorida

Witnesseth that the GRANTORS, for each in consideration of the sum of TEN DOLLARS (\$10) DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt wherent is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S hears, successors and assigns forever, the following described land, saturate, Sinc of Florida lying and being in the County of Lac

SEE THE ATTACHED EXHIBIT "A"

The property herein conveyed DOES NOT constitute the homestead property of the Grantors, nor any family member, nor is it contiguous thereto. The Grantors' Homestead addresses are: Samuel Hubschman: 85 West Pelican Street, Naples, FL 34113 Connie Hubschman: 50 Dolphin, Waples, FL 34113

Subject to essements, restrictions, reservations of record and taxes for the current year and subsequent years.

For Information Only: Property Identification Numbers: 20-4:-26-81-00001.0000 and 17-47-26-81-00001.0000.

and the granters do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons

In Witness Whereof, the grantees have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Worle (V Cantrol) Nicole T. Cantrell Witness A

Printed 2004, cas a moss Witness

COMMIR HORSCENIA P.O. Address:

STATE OF Florida COUNTY OF Collier

The foregoing instrument was schooledged before me this 5th day of May 200 SAMUEL HUBSCHMAN, Individually and as Trustee and CONNIE HUBSCHMAN, Individually and as Trustee and CONNIE HUBSCHMAN, Individually and as Trustee

who are personally known to me of wh

Printed Name: Dakacas A 2000

My Commission Expirer:

5061058

ORIGINAL SUBMITTAL

040702-7

Book4284/Page1

Page 1 of 2

JUL 0 2 2004

WPB

Portion of Sections 17 and 20, Township 47 South, Range 26 East, Lee County, Florida, more particularly described as:

Commending at the Point of Beginning which is the Southwest corner of Section 20, Township 47 South, Range 26 East, Lee County, Florida; thence North 01 degrees 08' 52" West for 5285.70 feet along an agreed upon line per Official Record Book 2061, Page 3137 of the Public Records of Les County, Florida; thence continue along said agreed upon line North 01 degrees 06' 50" West 1339.84 feet; thence South 88 degrees 58' 01" West 191.18 feet along an agreed upon line per Official Records Book 2061, Page 3137, and Page 3139 of the Public Records of Les County, Florida to the West line of Section 17, Township 47, South, Range 25 Wast, Lee County, Florida; thence continue along said agreed upon line which is the West line of said Section 17 North 04 degrees 41' 01" West for 4013.11 feet to the Northwest corner of said Section 17; thence North 87 degrees 28' 17" East for 2575.75 feet along the North line of said Section 17 to the North 1/4 corner of said Section 17; thence continue along said North line North 87 degrees 28' 22" East for 2575.93 feet to the Northeast corner of said Section 17; thence along the East line of said Section 17 South 05 degrees 01' 45" East 2689.09 feet the East 1/4 corner of said Section 17; thence continue along the said East line South 05 degrees 01' 37" East 2688.71 feet to the Southeast corner of said Section 17; thence along the said East line South 05 degrees 01' 37" East 2688.71 feet to the Southeast corner of said Section 17; thence along the Said Section 20; thence along the East Line of said Section 17 and the Northeast corner of said Section 20; thence along the East Line of said Section 17 and the Northeast corner of said Section 20; thence along the East Line of said Section 17 and the Northeast corner of said Section 20; thence along the East Line of said Section 17 and the Northeast corner of said Section 20; thence along the East Line of said Section 20; thence along the East Line Of said Section 20; thence along the East Line Of said Section 20; thence along the East Line Of degrees 01' 37" East 2688.71 feet to the Southeast corner of said Section 17 and the Northeast corner of said Section 20; thence along the East line of said Section 20 South 03 degrees 50' 45" East for 2684.71 feet to the East 1/4 corner of said Section 20; thence continue along said East line South 03 degrees 50' 58" East for 2684.65 feet to the Southeast corner of said Section 20; thence along the South line of said Section 20 South 88 degrees 34' 10" West 2665.01 feet to the Gouth 1/4 corner of said Section 20; thence continue along said South line of Section 20 South 88 degrees 34' 05" West for 2664.64 feet to the Point of Beginning.

Together with a non-exclusive easement for ingress and egress as contained in Official Records Book 23, page 113, Official Records Book 1445, page 2390, Official Records Book 1445, page 2396, Official Records Book 1458, page 246, Official Records Book 1445, page 2387, Official Records Book 1461, page 2261, Official Records Book 1458, page 243, Official Records Book 1461, page 2258, Official Records Book 1465, page 243, Official Records Book 1461, page 2258, Official Records Book 1445, page 2384, and Official Records Book 1520, page 2117 over and across the West 25 feet of Section 29, the West 60 feet of the Northwest 1/4 of the Southwest 1/4 of Section 29, the West 60 feet of the Northwest 1/4 of Section 29, the East 35 feet of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 30, all in Township 47, South, Range 25, East, Lee County Florida. Together with a non-exclusive easement for ingress and egress as

EXHIBIT A

5061**0**58

Book4284/Page2

Page 2 of 2

Division of Corporations



Florida Department of State, Division of Corporations



Florida Limited Liability

CRIGINAL SUBMITTAL

BONITA GRANDE AGGREGATES LLC

JUL 0 2 2004 WPB

PRINCIPAL ADDRESS 15065 MCGREGOR BOULEVARD, SUITE 108 FORT MYERS FL 33908

040702-7

MAILING ADDRESS 15065 MCGREGOR BOULEVARD, SUITE 108 FORT MYERS FL 33908

Document Number L04000026189 FEI Number NONE Date Filed 04/06/2004

State FL Status ACTIVE Effective Date NONE

Total Contribution 0.00

Registered Agent

Name & Address

HENSLEY, ROBERT D 15065 MCGREGOR BOULEVARD, SUITE 108 FORT MYERS FL 33908

Manager/Member Detail

Name & Address Title

Annual Reports

Report Year Filed Date

http://www.sunbiz.org/scripts/cordet.exe?a1=DETFIL&n1=L04000026189&n2=NAMFWD&n3=0000&n....6/4/2000

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No Events
No Name History Information

Document Images
Listed below are the images available for this filing.

04/06/2004 -- Florida Limited Liabilites

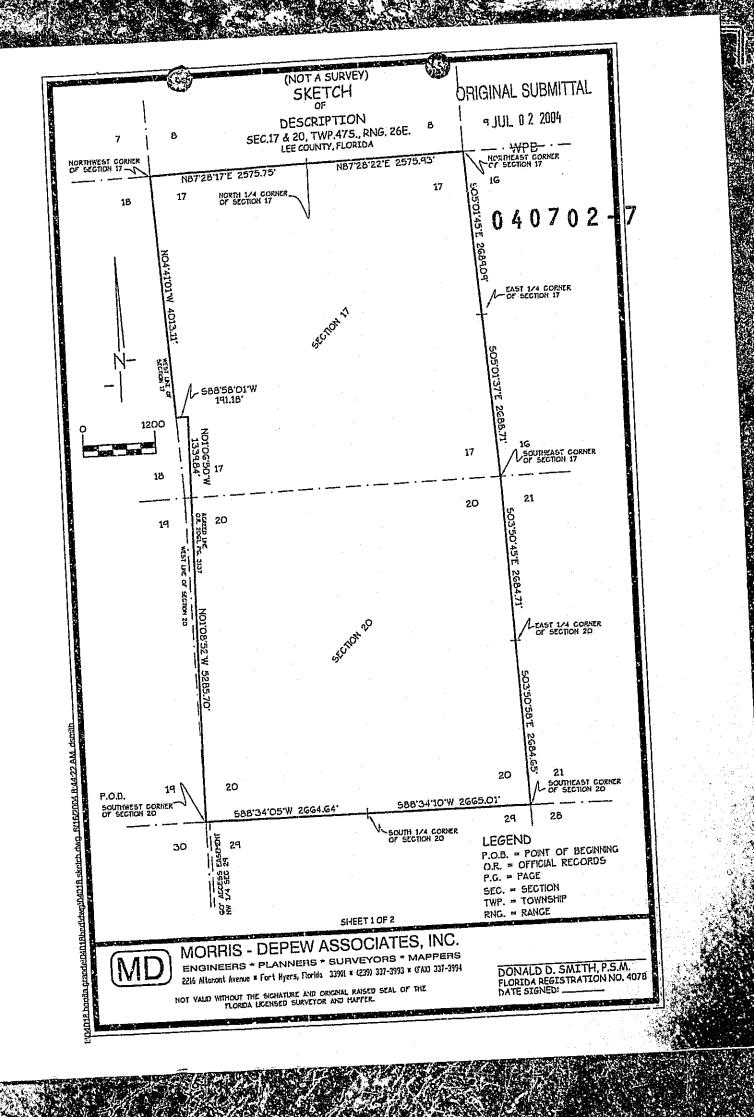
THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry

Corporations Help

http://www.sunbiz.org/scripts/cordet.exe?a1=DETFIL&n1=L04000026189&n2=NAMFWD&n3=0000&n...

/2004



(NOT A SURVEY) SKETCH OF

DESCRIPTION

SEC.17 & 20, TWP.475., RNG. 26E. LEE COUNTY, FLORIDA

DESCRIPTION

PORTION OF SECTIONS 17 AND 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICLE ARLY DESCRIBED AS:

COMMENCING AT THE POINT OF BEGINNING WHICH IS THE SOUTHWEST CORNER OF SECTION 20. TOWNSHIP 47 SOUTH. RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE NORTH 01 DEGREES OB: 52*WEST FOR 5285.70 FEET ALONG AN AGREED UPON LINE PER OFFICIAL RECOPD BOOK 20G1. PAGE 3137 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID AGREED UPON LINE NORTH 01 DEGREES OG: 50*WEST 1339.04 FEET; THENCE SOUTH 88 DEGREES 58*01*WEST 191.18 FEET ALONG AN AGREED UPON LINE PER OFFICIAL RECORDS BOOK 20G1. PAGE 3137. AND PAGE 3139 OF THE PUBLIC RECORDS OF LEE COUNTY. FLORIDA TO THE WEST LINE OF SECTION 17. TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID AGREED UPON LINE WHICH IS THE WEST LINE OF SAID SECTION 17. NORTH 04 DEGREES 41*04*WEST FOR 4013.11 FEET TO THE NORTHWEST CORNER OF SAID SECTION 17. THENCE NORTH 87 DEGREES 28*17*EAST FOR 2575.75 FEET ALONG THE NORTH LINE OF SAID SECTION 17 TO THE NORTH 1/4 CORNER OF SAID SECTION 17, THENCE CONTINUE ALONG SAID NORTH LINE NORTH B7 DEGREES 28*22*EAST FOR 2575.93 FEET TO THE NORTHLEAST CORNER OF SAID SECTION 17, THENCE ALONG THE EAST LINE OF SAID SECTION 17, SOUTH O5 DEGREES 01*45*EAST 2684.09 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 17, THENCE ALONG THE EAST LINE OF SAID SECTION 17, THENCE CONTINUE ALONG THE SAID SECTION 17 AND THE NORTHEAST CORNER OF SAID SECTION 20; THENCE ALONG THE EAST LINE OF SAID SECTION 20; THENCE ALONG THE EAST LINE OF SAID SECTION 20; THENCE ALONG THE EAST LINE OF SAID SECTION 20; THENCE CONTINUE ALONG SAID SECTION 20; THENCE ALONG THE EAST LINE OF SAID SECTION 20; THENCE CONTINUE ALONG THE SAID SECTION 20; THENCE CONTINUE ALONG SAID SOUTH LINE OF SAID SECTION 20, THENCE CONTINUE ALONG SAID SOUTH LINE OF SECTION 20, THENCE CONTINUE ALONG SAID SOUTH LINE OF SECTION 20, SOUTH 88 DEGREES 34*10*WEST 2665.01 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 20, THENCE CONTINUE ALONG SAID SOUTH LINE OF SECTION 20, SOUTH 86 DEGREES 34*10*WEST LINE OF SAID SECTION 20, THENCE CONTINUE ALONG SAID SOUTH LINE OF SECTION 20, SOUTH 86 DE

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INCRESS AND EGRESS AS CONTAINED IN OFFICIAL RECORDS BOOK 23, PAGE 113, OFFICIAL RECORDS BOOK 1445, PAGE 2390, OFFICIAL RECORDS BOOK 1445, PAGE 2399, OFFICIAL RECORDS BOOK 1458, PAGE 249, OFFICIAL RECORDS BOOK 1445, PAGE 2387, OFFICIAL RECORDS BOOK 1461, PAGE 2261, OFFICIAL RECORDS BOOK 1458, PAGE 243, OFFICIAL RECORDS BOOK 1461, PAGE 2258, OFFICIAL RECORDS BOOK 1445, PAGE 2384, AND OFFICIAL RECORDS BOOK 1520, PAGE 2117 OVER AND ACROSS THE WEST 25 FEET OF SECTION 29. THE WEST GO FEET OF THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29. THE WEST GO FEET OF THE NORTHWEST 1/4 OF SECTION 29. THE EAST 35 FEET OF THE SOUTHEAST 1/4 OF SECTION 30. ALL IN TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA.

SHEET 2 OF 2



MORRIS - DEPEW ASSOCIATES, INC.

ENGINEERS * PLANNERS * SURVEYORS * MAPPERS 2216 Altonort Averue x j'ort Hyers, Rorlda 33901 x (239) 337-3993 x GAX) 337-3994



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

(receipt)

Receipt No. 0000062224 - 0001

Refer to Application: 040702-7

: BONITA GRANDE MINE Project Name

BONITA GRANDE MINING LLC D/B/A BONITA GRANDE AGGREGATES 25501 BONITA GRANDE DRIVE BONITA SPRINGS, FL 34135

REVENUE ACCOUNT CODE

RECEIPT OF PERMIT APPLICATION TYPE OF APPLICATION

FEE AMOUNT

4600

WU INDIVIDUAL PERMIT TRANSFER - TRANS

\$300.00

ITEM

TRANS TYPE

DATE RECEIVED

CHECK NO

AMOUNT RECEIVED

1

PAYMENT MADE BY APPLICANT

07/02/2004

10089

\$300.00

BALANCE DUE

\$0.00

PROCESSED BY : MLOWRY

DATE : July 2, 2004 BRANCH OFFICE : WPB

c: Applicant Accounting Control File

GOULDING BOARD

EXECUTIVE OFFICE

Nicolas J. Gutierrez, Jr., Esq., Cauir Pamela Brooks-Thomas, Vice-Cluir Irela M. Bagué

Michael Collins Hugh M. English Lennart E. Lindahl, P.E. Kevin McCarty Harkley R. Thornton Trudi K. Williams, P.E. Henry Dean, Executive Director



TO:

Lori Burke (HI,LE,OR,OSC,PO), Water Use Compliance

Kurt Leckler, Water Use Compliance

FROM:

John Pfaff, Regulatory Information Management Department

DATE:

September 13, 2004

SUBJECT:

Request for Permit Transfer, seller to buyer

The following request for permit transfer was received on July 2, 2004:

Permit Number: 36-04463-W Location: Lee County Land Use: Mining

Section (s)	Township (s) South	Range (s) East
17,20	47	26

TRANSFER APPLICATION INFORMATION

Application Number: 040702-7

Project Name: Bonita Grande Mine

New Owner: Bonita Grande Aggregates LLC

Transfer Acreage: 1280.00 acres

ORIGINAL PERMIT INFORMATION

Related Application Number(s): 020225-8

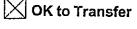
Project Name: Bonita Farms I & II

Owner Name: Bonita Grande Sand Company

Project Acreage: 1280.00 acres

Please indicate in the section below if there are any outstanding compliance issues associated with the above referenced project. A response to this memorandum is requested by <u>September 20, 2004</u>. Please send all responses to John Pfaff.

⊠ Pumpage Data	☐ Monitoring Data
☐ Calibration/Re-Calibration (see below)	☐ Other (see below)
Comments:	



Do not Transfer



South Florida Water Management District

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

District Permits 36-00764-S, 36-04463-W Applications 040702-6/7

July 6, 2004

Bonita Grande Sand Company 25501 Bonita Grande Drive Bonita Springs, FL 34135

Dear Sir or Madam:

Subject:

Notice of Intent to Transfer

Bonita Farms I and II, Lee County

Section 17,20, Township 47 South, Range 26 East

Recently, the District received a request to transfer the above referenced permits from Bonita Grande Sand Company to Bonita Grande Aggregates, LLC. A copy of the request is enclosed for your information.

If you concur with the request, a reply is not necessary; however, if you object to the District's intent to transfer the above referenced permits, please file your objection by writing to the South Florida Water Management District, Attn: John Pfaff/4240, PO Box 24680, West Palm Beach, FL 33416-4680. In accordance with the attached Notice of Rights, objections must be received within 21 days of actual receipt of this Notice of Intended Agency Action.

If you have any questions or need assistance, please contact John Pfaff at (561) 682-6741.

Sincerely,

Beth Colavecchio

Regulatory Support Supervisor

Regulatory Information Management Division
Environmental Resource Regulation Department

olavecalico

BC:ml

Attachments

CERTIFIED RECEIPT NUMBER 7002 2030 0006 4395 2669 RETURN RECEIPT REQUESTED

GOVERNING BOARD

EXECUTIVE OFFICE

Nicolás I. Gutiérrez, Jr., Esq., Cluir Pamela Brooks-Thomas, Vice-Cluir Irela M. Baguó

Michael Collins Hugh M. English Lennart E. Lindahl, P.E,

Kevin McCarty Harkley R. Thornton Trudi K. Williams, P.E.

Henry Dean, Executive Director



MORRIS-DEPEW ASSOCIATES, INC. ENGINEERS • PLANNERS • SURVEYORS & MAPPERS 2216 Altamont Avenue • Fort Myers. Florida 33901 • (239) 337-3993 • FAX (239) 337-3994

LETTER OF TRANSMITTAL

1 1 1 1 2 "	istrict	ater Main	agement		Date River and August	٠	
P	.O. Box 24680				RECEIVED		
V	lest Palm Bead	ch, Florida	33416-4680	JUL i 2 2004			
					ENV RES REGULATION		
DATE:	July	1, 2004		MDA PROJECT NO.: 04018.P6			
ATTENT	ION: Mr.	John Pfaf	f and/or Ms. Ma	ry Lowroy			
ATTENTION: Mr. John Pfaff and/or Ms. Mary Lowroy RE: Bonita Grande Mine We are sending you Attached Under separate cover VIA FED EX the following items: Copie Date No. Description 1 5-06-04 Water Use and Surface Water Management Permit Transfer							
We are se	nding you 🛭 🗵] Attached	☐ Under sep	parate cover	VIA <u>FED EX</u> the following items:	_ _	
Copi		No.					
1	5-06-04		Water Use an	id Surface W	Vater Management Permit Transfer		
<u> </u>		ļ <u>.</u>				\dashv	
						_	
						-	
☐ For ap☐ For yo☐ As req	ur use uested wiew and comme	Approved Approved Returned	as submitted	Resubmit Submit Return	copies for approval copies for distribution corrected prints rned after loan to M-DA		
REMARKS Thank you		nave any	questions or requi	re any further ir	information in this regard please contact me.	\dashv	
	<u> </u>					_	
СОРУ ТО	: Mr. Robert I Mr. Mike Ya		Ir. Russell Schrop	p, SIGNED:			
	JAA	·			Julie Allison Engineering Technician		

G: 04018 Bonita Grande Mine/clocs/04018 04-07-01 trans to SFWMD cc R. Hensley, R. Schropp, M. Yashko re permit trans.doc

transfer_checklist



Permit Transfer Check List



Report run on: September 13, 2004 10:46 AM

Application Number: 040702-7

Permit Number: 36-04463-W

Project Name:

BONITA GRANDE MINE

Applicant:

BONITA GRANDE AGGREGATES LLC

County:

LEE COUNTY

Section: 17,20

Twp: 47S

Rge: 26E

			-	
	Route To	Date Received	€ C/ate Out	
	Beth		0/10/01/	
	John		9/13/04	
	Mary			

Date Received

Transfer Form:

02-JUL-2004

Owner Signature:

02-JUL-2004__

Signature

Recorded Deed: Y

02-JUL-2004 02-JUL-2004

Project Map: Fee Charged:

02-JUL-2004 \$300

verified: Y

Fee Received:

1280

Fee Due: \$0

Correct Acreage: Y

Date File Requested: July 6, 2004

Project Acreage:

Location: OSS

File Retrieval Information

Date File Received: July 8, 2004

					Comment	s Memo Tracking			
	Inquiry Sent		Comply Issues						
NRM	N	N	N	MIT:	MON:	MAINT:	OTHER:		
ERC	N	N	N	Constru Certific		Construction Completion:	Engineer Certification:	AGI:	Other:
WU	Υ	Υ	Υ	Pumpa	ge Data: Y	Other:			

Comments:

Permit History Created: Y

Technical Data Updated: Y

Special Conditons Updated: Y

OK To Transfer:

Reviewer: J Pfaff

Date Completed: September 13, 2004

Notice Of Intent: 06-JUL-2004

Admin Review:

Date Completed: ___

Supervisor Review: ___

Date Completed: _